

CLEMENTS | BERNARD | MILLER
INTELLECTUAL PROPERTY ATTORNEYS

1901 ROXBOROUGH ROAD, SUITE 300
CHARLOTTE, NC 28211 USA
TELEPHONE: 704.790.3600
FACSIMILE: 704.366.9744

RECEIVED
CENTRAL FAX CENTER

FAX TRANSMISSION

APR 07 2008

Date: April 7, 2008
To: **USPTO**
FAX No.: **571-273-8300**
From: Gregory N. Clements
No. of Pages: 12 (including cover sheet)
Re: Serial No. 09/747,529
James R. Sheppard, Jr.
Our Ref. 2827

CONFIDENTIAL AND PRIVILEGED

The information contained in this facsimile is privileged and confidential information intended for the sole use of the addressee. If the reader of this facsimile is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received the facsimile in error, please immediately notify the sender listed above, and return the original message to the sender at the address listed below.

PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION

In accordance with a telephone request from Examiner Coe on 4/7/08, enclosed is a copy of the faxed Notice of Appeal submitted on January 29, 2008 along with documentation and confirmation cover sheets. Please ensure the Notice of Appeal is documented with this case.

Very truly yours,


Gregory N. Clements

GNC/NB

Clements | Bernard | Miller
1901 ROXBOROUGH ROAD, SUITE 300
CHARLOTTE, NORTH CAROLINA 28211 USA
EMAIL: GCLEMENTS@WORLDPATENTS.COM

RECEIVED
CENTRAL FAX CENTER

Ar n 67 2008

Fax Information
Date Received: 1/29/2008 2:56:01 PM [Eastern Standard Time]
Total Pages: 9 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

JAN-29-2008 15:17	CLIENTS BERNARD	7843667794	P.01
-------------------	-----------------	------------	------

FORM 3826 (04-07)
 Approved for use through GPOC2007, DATE 03-07-2007
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 (Use only if the enclosed is a request for a copy of a document or a drawing or a model or a photograph)


Under the Electronic Request Act (ERA), an applicant may submit an application in electronic form, as long as the application is submitted in a format that is compatible with the ERA.

<h2 style="text-align: center; margin: 0;">TRANSMITTAL FORM</h2> <p><i>(to be used for all correspondence after initial filing)</i></p> <p>Total Number of Pages in This Submission: 0</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>USPTO 828</td> </tr> <tr> <td>Filing Date</td> <td>December 28, 2006</td> </tr> <tr> <td>First Named Inventor</td> <td>James R. BERNARD, JR.</td> </tr> <tr> <td>Att. No.</td> <td>1771</td> </tr> <tr> <td>Examiner Name</td> <td>JOHNSON, JAMES LEIGH</td> </tr> <tr> <td>Attorney Name</td> <td>BERNARD</td> </tr> </table>	Application Number	USPTO 828	Filing Date	December 28, 2006	First Named Inventor	James R. BERNARD, JR.	Att. No.	1771	Examiner Name	JOHNSON, JAMES LEIGH	Attorney Name	BERNARD
Application Number	USPTO 828												
Filing Date	December 28, 2006												
First Named Inventor	James R. BERNARD, JR.												
Att. No.	1771												
Examiner Name	JOHNSON, JAMES LEIGH												
Attorney Name	BERNARD												

ENCLOSURES (check all that apply)

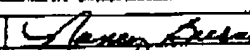
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Affidavit <input type="checkbox"/> Acknowledgment <input type="checkbox"/> After Panel <input type="checkbox"/> Affidavit of Authenticity <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Acknowledgment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Part(s) <input type="checkbox"/> Reply to Missing Part(s) under 37 CFR 1.52 or 1.58	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Cancel to a Provisional Application <input type="checkbox"/> Power of Attorney, Recognition of Invention, Declaration of Invention <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table in CD <input type="checkbox"/> Exhibits <input type="checkbox"/> 6831 Notice of Appeal <input type="checkbox"/> Copies of documents for previous appeals (7 pages)	<input type="checkbox"/> After Allowance Communication in TC <input type="checkbox"/> Appeal Communication to Patent or Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Request Notice, Brief Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosures (2) (State as identify below)
---	--	---

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Print Name	Charmos Bernard Miller
Signature	
Printed Name	Gregory R. Charanis
Date	JANUARY 28, 2008
R.O. No.	80,743

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage so that claim mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1208, Alexandria, VA 22312-1208 on the date shown below.

Signature: 

Typed or printed name: Nancy Burns

Date: January 28, 2008

This certificate of transmission is required by 37 CFR 1.5. The information is required in order to obtain a benefit by the public which is in the best interest of the USPTO to the applicant in application. Correspondence is governed by 37 CFR 1.52 and 37 CFR 1.57, 1.58. This certificate is required to be filed in the USPTO to complete, including payment of an application, and submitting the application application form to the USPTO. Time with very important note and individual cases, any correspondence in the event of a new system to complete any form under application for reducing the fee, should be filed in the Chief Information Officer, 115, 115 and Trademark Office, U.S. Department of Commerce, P.O. Box 1208, Alexandria, VA 22312-1208. DO NOT SEND FEES ON COMPLETED FORMS TO THE ADDRESSING BUREAU TO: Commissioner for Patents, P.O. Box 1208, Alexandria, VA 22312-1208.

If you need assistance in completing the form, call 1-800-PTO-9199 and ext. 9202.

Roseant
 Me Coe 571-273-0999
 PAGE 2/12 * RCVD AT 4/7/2008 5:16:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/44 * DNIS:2738300 * CSID:7043669744 * DURATION (mm:ss):04:06

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

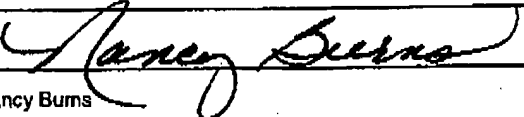
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/747,529	RECEIVED CENTRAL FAX CENTER APR 07 2008
	Filing Date	December 22, 2000	
	First Named Inventor	James R. Sneppard, JR	
	Art Unit	1771	
	Examiner Name	Johnson, Jenna Leigh	
Total Number of Pages in This Submission	9	Attorney Docket Number	2827

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks SB31 Notice of Appeal Copies of documentation for previous payments (7 pages)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Clements Bernard Miller		
Signature			
Printed name	Gregory N. Clements		
Date	January 29, 2008	Reg. No.	30,713

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Nancy Burns	Date	January 29, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR-07-2008 17:39

CLEMENTS BERNARD

7043669744

P.04

APR 07 2008

Approved for use through 01/31/2008. OMB 0551-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

2827

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.9(a)] January 29, 2008

Signature: Nancy E. Burns
Typed or printed name: Nancy E. Burns

In re Application of

Sheppard

Application Number 09/747,529 Filed 12/22/2000

For Jaquard Woven Textile with Graphic...

Art Unit 1794

Examiner Johnson

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 510.00

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 255.00
- ☐ A check in the amount of the fee is enclosed. Apply previous overpayment of \$325 leaving credit of \$70. (see attached documentation - 7 pages)
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.135(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Registration number 30713
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.

Signature: Gregory N. Clements
Typed or printed name: Gregory N. Clements
704-720-3600
Telephone number
January 29th 2008
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of one forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.5. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MODE - MEMORY TRANSMISSION START-JAN-29 15:18 END-JAN-29 15:18
FILE NO. 4-202
STN NO. 001 COM. OK ONE-TOUCH/ASBR NO. 15712733300 PAGES 009/009 DURATION 00:01:52

-CLEMENTS BERNARD-

7043669744

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

Application Number 09/747,529

Filing Date December 22, 2000

First Named Inventor James R. Sheppard, JR.

Art Unit 1771

Examiner Name Johnson, Jenna Leigh

Attorney Docket Number 2827

Fee Transmittal Form ☐

Fee Attached ☐

Amendment/Reply ☐

After Final ☐

Affidavits/Declaration(s) ☐

Extension of Time Request ☐

Expense Abandonment Request ☐

Information Disclosure Statement ☐

Corrected Copy of Priority Document(s) ☐

Reply to Missing Parts/Incomplete Application ☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53 ☐

ENCLOSURES (Check all that apply)

Drawings ☐

Licensing-related Papers ☐

Petition ☐

Petition to Convert to a Provisional Application ☐

Power of Attorney, Revocation ☐

Change of Correspondence Address ☐

Terminal Disclaimer ☐

Request for Refund ☐

CD, Number of CDs ☐

CD, Landscape Table on CD ☐

Remarks 8831 Notice of Appeal; Copies of documentation for previous payments (7 pages)

After Allowance Communication to TO ☐

Appeal Communication to Board of Appeals and Interferences ☐

Appeal Communication to TO (Appeal Notice, Reply, Reply Brief) ☒

Proprietary Information ☐

Status Letter ☐

Other Enclosure(s) (Please identify below): ☐

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Clements Bernard Miller

Signature: Gregory N. Clements

Printed name Gregory N. Clements

Date January 29, 2008 Reg. No. 30713

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature: Nancy E. Burns

Typed or printed name Nancy Burns

Date January 29, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BEST AVAILABLE COPY

Transaction Report

APR 07 2008

2827-

Send

Transaction(s) completed

No. TX Date/Time Destination

Duration P.#

Result

Mode

026 APR-03 14:38 15712736500

0'01'00" 003

OK

N ECM

DOUGHERTY | CLEMENTS
INTELLECTUAL PROPERTY ATTORNEYS1901 ROXBOROUGH ROAD, SUITE 300
CHARLOTTE, NC 28211 USA
TELEPHONE: 704.790.3600
FACSIMILE: 704.366.9744
www.worldpatents.com

To: Doug Lindsey
571-273-6500

From: Mary Siems
Dougherty/Clements

Date: April 3, 2006

Re: Incorrect Credit Card

COPY

PARTNERS
GREGORY N. CLEMENTS
CHRISTOPHER L. BERNARD
RICHARD A. WALKER*ASSOCIATES
BRANDON G. WILLIAMS
RUSSELL M. RACINE
BRADLEY D. CROSS*OF COUNSEL
RALPH H. DOUGHERTY
WILLIAM F. SMITH*PATENT AGENT
F. RHETT BROCKINGTON, Ph.D.

*NOT ADMITTED IN NC

As per our phone conversation today, incorrect credit card slips dated 3/31/06 were sent Express Mail on 4/1/06 for application no. 10/314,794 and application no. 09/747,529. Each transaction was for \$250.00 for Notice of Appeal and a cancelled Visa card was used.

Attached please find the correct credit card slips dated April 3, 2006 using a MasterCard account.

Thank you for making sure the correct credit card is used and resolving this matter for us. If you need anything further, please call me at 704-366-6642.

COPY

PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 2827	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>March 31, 2006</u>		In re Application of James R. Sheppard, Jr.	
Signature <u>Barbara C. Brown</u>		Application Number 09/747,529	Filed 12-22-2000
Typed or printed name Barbara C. Brown, NCCP		For Jacquard Woven Textile with Graphic...	
		Art Unit 1771	Examiner Jenna-Leigh Betumo

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____ I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 30,713

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Gregory N. Clements
Signature
Gregory N. Clements
Typed or printed name
704.366.6642
Telephone number
March 31, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

P10/SB/17 (12-04v2)
Approved for use through 07/31/2008. QMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 250.00

Complete if Known

Application Number 09/747,529
Filing Date December 22, 2000
First Named Inventor James M. Sheppard JR.
Examiner Name Jenna-Leigh Belumo
Art Unit 1771
Attorney Docket No. 2827

RECEIVED
CENTRAL FAX CENTER

APR 07 2008

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180
Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

Total Claims Extra Claims Fee (\$)

- 20 or HP = x = Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

- 3 or HP = x = Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): (Small Entity) Notice of Appeal Filing Fee = \$250

Fees Paid (\$)

\$250.00

SUBMITTED BY

Signature Gregory N. Clements Registration No. 30,713 Telephone 704/366-6642
Name (Print/Type) Gregory N. Clements Date March 31, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (11-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 10/01/2004. Patent fees are subject to annual revision.

FEE TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 250.00

Complete if Known

Application Number	09/747,529
Filing Date	12/22/2000
First Named Inventor	Sheppard, James M. Jr.
Examiner Name	Befumo, Jenna-Leigh
Art Unit	1771
Attorney Docket No.	2827

RECEIVED
CENTRAL FAX CENTER

APR 07 2008

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order
☐ Deposit Account ☐ None

Deposit Account Number: 04-1448
 Deposit Account Name: Dougherty, Clements, Hofer

The Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
☐ Credit any overpayments

to the above-identified deposit account.

☐ Other (please identify):

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

Subtotal (1) \$

FEE CALCULATION (continued)**2. EXTRA CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)

Subtotal (2) \$

3. OTHER FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	250.00
Request for oral hearing	300	150	
Other:			

Subtotal (3) \$ 250.00

SUBMITTED BY

Signature: Gregory N. Clements	Registration No. (Attorney/Agent): 30,713	Telephone: 704-366-6642
Name (Print/Type): Gregory N. Clements	Date: December 23, 2004	

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

***** -COMM.

FAX -

DATE JAN-29-2008

TIME 15:18 *****

MODE = MEMORY TRANSMISSION

START=JAN-29 15:16

END=JAN-29 15:18

FILE NO.=282

RECEIVED
CENTRAL FAX CENTER

APR 07 2008

STN COMM. ONE-TOUCH/ STATION NAME/TEL NO.
NO. ABBR NO.

PAGES DURATION

001 OK 15712738300

009/009 00:01:52

***** -CLEMENTS BERNARD- *****

7043669744- *****

PTO/58/21 (04-07)

Approved for use through 09/30/2007, OMB 0551-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number 09/747,529

Filing Date December 22, 2000

First Named Inventor James R. Sheppard, JR.

Art Unit 1771

Examiner Name Johnson, Jenna Leigh

Attorney Docket Number 2827

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

SBS1 Notice of Appeal
Copies of documentation for previous payments (7 pages)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Clements Bernard Miller

Signature *Gregory N. Clements*

Printed name Gregory N. Clements

Date January 29, 2008

Reg. No. 30,713

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature *Nancy Burns*

Typed or printed name Nancy Burns

Date January 29, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the burden, and amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9198 and select option 2.